The California Resale Royalties Act (Assembly Bill 1391) was signed by Governor Jerry Brown on September 22, 1976, and took effect on January 1, 1977, in Section 986 of the California Civil Code. The Act, authored by Assemblyman Alan Sieroty (Dem. — West Los Angeles), gives visual artists the right to participate in any profit derived from the resale of their works of fine art. It is the first legislation of its kind in the United States, and it places California at the forefront of a growing national movement to protect and promote the legal rights of artists.

It is not widely known that the United States Constitution of 1789 authorized the Congress to grant copyright royalties to authors in order "to promote the Progress of Science and the Useful Arts." The federal copyright laws, enacted under the Copyright Clause of the Constitution, have given authors, playwrights, composers, choreographers, filmakers, visual artists, and other creators, the right to receive copyright royalties for the commercial use of their work. The payment of copyright royalties is both a reward for past endeavors and an incentive to future creativity; and in quantitative terms, it represents a far larger subsidy for the creative arts in America than the combined budgets of the National Endowments for the Arts and the Humanities.

The federal copyright laws, however, have discriminated against the visual artist. Compare the visual artist and the composer. Under the new federal Copyright Act of 1976, composers of lyrics or music are entitled to receive a copyright royalty for at least three kinds of commercial use of their work: sale of the published sheet music; sale of sound recordings which incorporate their music; and public performance (both live and broadcast) of their music. Visual artists, by contrast, are rewarded only for one kind of commercial use: sale of reproductions of their work (in magazines, posters, cards, and so on). They have no right to receive a royalty when their work is commercially used by resale.

The Act is designed to implement this policy. Its major provisions are as follows.

The Act states that the seller or the seller's agent shall pay the artist five per cent of the gross sales price whenever a work of fine art created by the artist is resold within the State of California or by a California resident. The artist's right to receive this royalty may not be transferred; and it may only be waived by a written agreement which gives the artist a royalty in excess of five per cent. The Act applies to private sales between collectors, to auction sales, and to sales by a gallery, dealer, broker, museum or other agent. It also applies to works of fine art created before and after January 1, 1977.

If the seller or agent cannot locate and pay the artist within 90 days after the resale, he or she must transfer the royalty to the California Arts Council. The Council then has seven years within which to locate and pay the artist. If the artist cannot be found and if the artist fails to file a written claim with the Council within the seven years period, then the Council is free to spend the money on its own arts programs.

The Act contains a number of exclusions. It does not, obviously, apply to the first sale; it applies only to second and subsequent resales. It does not apply to resales for less than $1,000, nor to resales after the artist's death. It does not apply to works which are resold for less than their purchase price. Lastly, the Act only covers those works of art that fall within its own definition of "fine art," namely "an original painting, sculpture, or drawing."

*"The legislative intent of the California Resale Royalties Act is to fill this gap in the federal copyright laws by giving visual artists the right to receive a royalty whenever their work is resold at a profit. The Act thus expresses a principle of parity between the visual artist and other creators, and its gives recognition — in the visual arts — to the underlying policy of the Constitution that all creators should have the right to participate in the commercial use of their work."*

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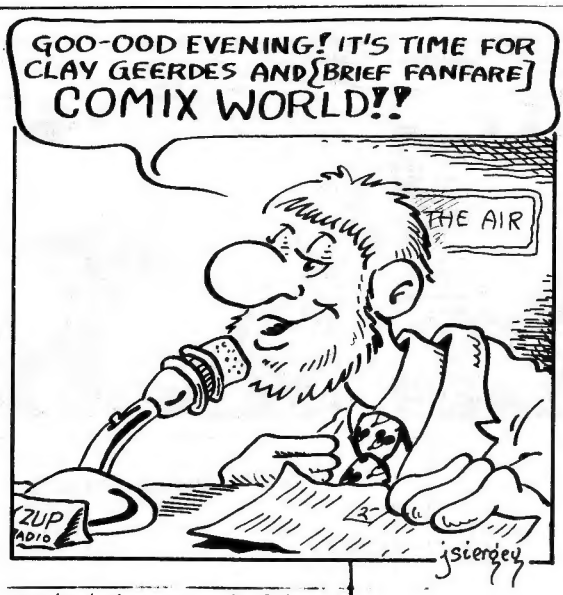
Artists and arts organizations in California have the services of two excellent groups set up to provide free legal assistance: Bay Area Lawyers for the Arts (BALA) in San Francisco and Advocates for the Arts in Los Angeles. Both groups' function is to provide free legal services to artists, education in arts law for artists and attorneys and legal research.

If you have a problem with contracts, nonprofit incorporation, copyright, taxes or any other arts-related legal question, you can contact BALA at 25 Taylor St., San Francisco, CA 94102. Phone: 415/775-7200. You can contact Advocates for the Arts at UCLA School of Law, 405 Hilgard Avenue, Los Angeles, CA 90024. Phone: 213/825-3309.




Comix World 71. May 1, 1977. Copyright by Clay Geerdes, 915 Indian Rock Road, Berkeley CA 94707. Subs are $3.50 for 12. $6 for 24. All back issues $13. Logo by Jim Siergey. Material on the new Resale Royalties Act excerpted from an article in CNS by Hamish Sandison.* New Comix: American Splendor 2 by Harvey Pekar with art by Dumm, Budgett, and Crumb. $1.40 pp from Pekar, Bx 18471, Cleveland Hts, Ohio 44118. Snarf 7 is $1.35 pp from Krupp, P. O. Box 7, Princeton, Wis 54968. Dutch Treat, the Amsterdam anthology, is $1.35 from Krupp. Larry Fuller's New Funny Book #2 is $1.35 from Last Gasp. Art by Bulanadi, Davis, Figari, Jundis, Macabasco, Macklin, Nino, Dan O'Neill, Vojtko, & Plumb.* The new comic company in Michigan is Power and the comic is Power Comics, a monthly. Two issues out so far. 50¢ for 48 pages. Says publisher Ed Langham, "no barbarians, horror or loveable nazi stories in our comics." Some of you may want to argue with Ed's definitions. Certainly, Power features muscle art and mystery. Hero is Cobalt Blue. There are two editions of #1, 2d ed. has a different cover. Address is 916 West Ottawa St., Lansing, MI 48915. Power includes advertising. 40,000 print runs. Claims good Midwestern distribution. I'll say more about some of these comix next issue.* Wild and Woolley (P. O. Bx 41, Glebe, NSW 2037 Australia) published The Cobb Book and now Cobb Again, a second collection of political and ecological cartoons by the underground master. $8.50pp. A beauty.* Cons coming up: Berkeley Comic Art Fair, May 22, 1977, Holiday Inn, Emeryville. Phil Seuling's Con, July 1-5, Philadelphia Pa Hotel Sheraton. All-American Con, July 15-17, Portland, Ore (Kurtzman, Steranko, Aragones, and Alex Schomburg at that one), Masonic Temple, 1119 S. W. Park. Call Old Weird Herald's, 503-254-4942. San Diego Con, July 20-24, El Cortez, 7th & Ash. (Carl Barks & Kurtzman there). Chicago Con Aug 5-7, Pick-Congress, 520 S. Michigan Avenue. Bay Con III Aug 12-14, Jack Tar Hotel, San Francisco (Kirby & Gaines).

The latest cartoonist's studio to be formed in San Francisco is Fast Draw. Member artists include: Ted Richards, Terry Richards, Larry Gonick, J. Michael Leonard, and sculptress Michele Jurras. Ted's upcoming publications include an E. Z. Wolf book (Rip Off Press) and E. Z. Wolf's Astral Outhouse, a small format (5½x7") collection of Ted's Berkeley BARB strips (from Last Gasp Comix). Mike Leonard is working on a new anthology humor comic designed to give new artists some exposure. Subbers interested in the project may write or send stats of their stuff to Mike. Two page maximum & send return postage if you want the stats back. I'm doing a story with photos on Fast Draw & will let you know where it will run.* Bantam has come out with the paperback version of Tom Robbins' Even Cowgirls Get the Blues & Variety sez film rights have been purchased. Question is, where are they going to find a girl with a pair of thumbs like Sissy Hankshaw's? I'd love to see some cartoonist's conceptions of Sissy.* Mike Friedrich says Star Reach 8, Pudge 3, and Quack 8 should be on the stands about now. Leialoha's Rabbit Wonder will lead off Quack 4 (July).* Yikes 3 is a great little offset book. 50¢ from George Erling, 357 Newark Pompton Turnpike, Pompton Plains, N.J. 07444. Send a first-class stamp. Artists include George, Eric Vincent, Doug Bryson, Greg Spagnola, John Edgar, Bob Vojtko, Joel Milke, Larry Todd, Doug Hansen, and Russ Maheras, not to mention the 1st American appearance of Hunt Emerson (Donald Dogfly, Zomix).* In Cheri (May, 1977, 208 East 43rd St., NYC 10017, $2), you will find a great five-page color story by Rand Holmes. It's "Basement Man," a gross and funny sex story. If that's not enough for you, there's a lovely one and a half page illo by Trina on pp 40-41. That'll get you through the night.

**The British Brain Storm and Mixed Bunch will be available from Last Gasp later in 1977.**

**... and I paid to get in?** — **Tim Boxell**

THERE'S ONLY ONE THING WRONG WITH LARRY COHEN'S NEW FILM...
IT'S A WASTE
THE NERVE SHATTERING DELIVERY SCENE!
WE'VE GOT SOME GOOD NEWS AND SOME BAD NEWS
WHAT'S THE BAD NEWS?
YOUR NEW BABY VICIOUSLY KILLED EVERYONE IN THIS ROOM BUT YOUR WIFE.
THE GOOD NEWS?
IT'S NOT HERE NOW!
THE TROUBLED FATHER COPES!
THIS IS THE MOST... MONSTEROUS CHILD IN MEDICAL HISTORY!
IT'S NOT MY BABY!
WE'VE DETERMINED THAT IT MUST HAVE HUGE TEETH AND CLAWS!
IT'S NOT MINE. I HAVE A NORMAL 11 YEAR OLD BOY!
OUR UNIVERSITY'S MUTATIONS LAB WILL PAY $500,000 FOR IT ALIVE OR DEAD
AS I WAS SAYING IT'S MY BABY, RIGHT OR WRONG. ER.. IS THERE ANYTHING YOU WANT ME TO SIGN?
THE BABY RETURNS TO THE NEST!
THE BABY'S BEEN HERE HASN'T IT?
YES... HOW DID YOU KNOW?
10 GALLONS OF MILK AND A FREEZER FULL OF FOOD ARE MISSING!
BABIES EAT A LOT, HONEY. YOU'RE NOT GOING TO TURN YOUR OWN SON INTO THE POLICE ARE YOU?
NO... BUT I THINK IT'S ONLY FAIR TO WARN SAFEWAY AND ALPHA BETA
THE BLOODY AFTERMATH!
HE THREW THAT LITTLE MONSTER RIGHT AT THE DOCTOR. ISN'T THAT ASSAULT WITH A DEADLY BABY?
YES... BUT WE'RE AFTER BIGGER FISH... THE FISH THAT MADE THIS MOVIE!
ON WHAT CHARGE?
ASSAULT WITH A SOILOCKY MOVIE!

"A GRISLY" BIT OF SATIRE FROM THE DAILY CAL. April 22, '77.

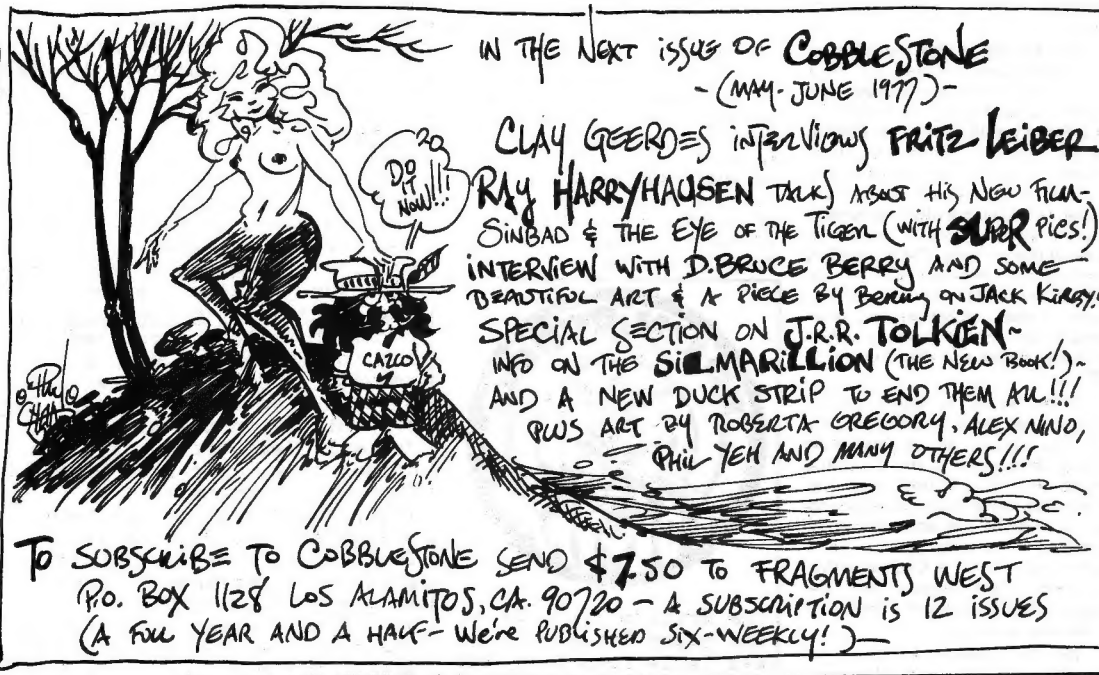
# TRINA...

Just as we have our annual Berkeley bash to celebrate the comix, French-Canadian underground folks get together at the University of Montreal in Canada. It is their policy to have an American guest each Spring and this year that guest was Trina Robbins. Her trip was the result of a chance meeting with Pierre Huet at a New York con a couple of years back. M. Huet contacted Trina earlier this yearand she flew to Montreal, Quebec, where she spent the week of April 1-6 guesting on Canadian t-v, discussing American comics at Le Festival International de la Bande Dessinee de Montreal with the media and fans, and seeing the city. Not to mention getting herself in a snowball fight and drinking a lot of Sangria at Sancho Panza. Trina described Montreal as a bi-lingual city where the British are very uptight and rule the roost and the French are easily distinguished by their long hair and penchant for Underground Americana. She said the waiters in the cafes were all French and they were used to dealing with visitors who spoke English so they would begin in that language. When someone would answer in French, however, they would light up with pleasure & immediately get into French. Trina and I talked at the Bakery Cafe in Castro Valley in San Francisco. I asked her what aspects of the underground the French were into and she referred to the variety or themes and the adult tone of the comix. The French, naturally, were more aware of the work of Bodé, London, and Shary Flenniken via National Lampoon, but the program book from the festival (mostly comic strips) showed a lot of over and underground influences.

I had copies of CW 70 with me and Crumb's cover for Keith Green's Snatch Sampler got Trina's anger up. "He's always riding around on women. Now you know what the term, beast of burden, means." We talked about the expanding interest in undergrounds and particularly in the work of the women cartoonists. Trina's new projects include: A novel, an anthology of her own work for a New York publisher, an anthology of women's comix for a British publisher, a new Lulu story and cover for an upcoming issue of High Times, and an eventual Scarlett Pilgrim book made up of the strips now running serially in Georgia Straight. Scarlet was created in 1975, and appeared in print for the first time in Coyote Howls early this year. A more extensive interview with Trina appeared in Side Show magazine ($1 pp from Comix World). Trina will appear at the Berkeley Comic Art Fair and is scheduled to speak at the San Diego Con in July. C.G.

I AM, SCARLETT, BUT YOU KNOW THEM — THEY NEVER STOP HARRASING YOU!
SAY, COOKIE, WATCH OUT FOR THAT DUDE OVER THERE — NEW BOY ON THE VICE SQUAD!
HEY, SCARLETT, WHA'S SHAKIN'?
THANKS FOR THE TIP!
HOW DO YOU KNOW ALL THAT STUFF, SCARLETT?
I GOT JOHNS IN HIGH PLACES. SO WHAT'S YOUR PROBLEM, VICE?

© TRINA 1977




IN THE NEXT ISSUE OF COBBLESTONE - (MAY-JUNE 1977) -

CLAY GEERDES INTERVIEWS FRITZ LEIBER

RAY HARRYHAUSEN TALKS ABOUT HIS NEW FILM - SINBAD & THE EYE OF THE TIGER (WITH SUPER PICS!)

INTERVIEW WITH D. BRUCE BERRY AND SOME BEAUTIFUL ART & A PIECE BY BERRY ON JACK KIRBY!

SPECIAL SECTION ON J.R.R. TOLKIEN - INFO ON THE SILMARILLION (THE NEW BOOK!) - AND A NEW DUCK STRIP TO END THEM ALL!!! PLUS ART BY ROBERTA GREGORY, ALEX NINO, PHIL YEH AND MANY OTHERS!!!

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